



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Bayer Material Science LLC
100 Bayer Road
Pittsburgh PA 15205

COPY MAILED

OCT 13 2004

OFFICE OF PETITIONS

In re Application of :
Warth et al. : DECISION ON PETITION
Application No. 10/776,819 :
Filed: June 10, 2004 :
Attorney Docket No. Mo-7019N/LeA :
33,428-N :

This is a decision on the petition under 37 CFR 1.182, filed June 10, 2004. It appears from the petition that applicants are requesting that the above-identified application be accorded the later filing date of June 10, 2004, the date omitted pages 13-15 of the specification were filed with the United States Patent and Trademark (Office).

On February 11, 2004, applicants deposited the above-identified application. However, on May 10, 2004, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s) in a Nonprovisional Application," stating that the application had been accorded a filing date of February 11, 2004, and advising applicants that pages 13-15 of the specification appeared to have been omitted from the application.

In response, on June 10, 2004, applicants submitted the present petition, an authorization to charge the deposit account for the petition fee, and a copy of pages 13-15 of the specification, and a new Combined Declaration and Power of Attorney. Applicants admit that pages 13-15 were inadvertently omitted from the copy of the application filed on February 11, 2004.

Accordingly, the petition is granted.

The \$130 petition fee will be charged to Deposit Account No. 13-3848, as authorized by applicants.

The Office of Initial Patent Examination is directed to **process the application with a filing date of June 10, 2004**, using the application papers submitted on February 11, 2004, and pages 13-15 of the specification submitted on June 10, 2004.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions